

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Endowments Department – Smt. K. Nirmala Rani presently working as Junior Assistant in the O/o Assistant Commissioner Cum Executive Officer, Sri Malleswara Swamy Temple, Peddakakani, Guntur District – Reversion to the original cadre of Care Taker – Orders – Issued

REVENUE (ENDTS.I) DEPARTMENT

G.O.Rt.No. 1534

Dated: 30.07.2008

Read the following:-

1. Representation dated 02.09.2007 and 10.05.2008 from Sri V.V. Rathaiah, Jr. Asst., O/o AC Cum EO, S.M.S. Temple, Peddakakani, Guntur District.
2. From the EO, SMS Temple, Peddakakani, Guntur District Lr.Rc.No.A2/383/07, dated:04.04.2008.
3. Representation dated; 15-4-2008 from K. Nirmal Rani Jr. Asst. . Sri. Malleswara Swamy Temple. Peddakakani Guntur District.
4. From the CED, AP, Hyd., Lr.Rc.No.B1/37908/07, dated:27.01.08 and 22.06.2008.

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**ORDER:-**

In G.O.Ms.No.1422, Revenue (Endts.I) Department, dated:25.07.2005 Government have issued orders cancelling certain irregular appointments ordered during the period of Sri I. Venkateswarlu, the then Commissioner of Endowments Department, AP, Hyderabad. Accordingly, the then Executive Officer of the subject temple has issued orders canceling regularization orders to discontinue Smt. N. Nirmala Rani as Care Taker of the Guest House and Kalyana Mantapam. Aggrieved by the above orders, she has filed W.P.No.2402/06 in the Hon'ble High Court of AP, Hyderabad. As per the orders dated:30.03.2007 in the said W.P., the Executive Officer has issued orders vide proceedings No.2/254/Estt., dated:03.07.2007 reverting Smt. K. Nirmala Rani as contract employee, after obtaining explanation from her to the Show Cause Notice issued by him. She has filed a R.P. before the Government against the said proceedings of the Executive Officer. Since, the Executive Officer has not properly examined the explanation given by Smt. K. Nirmala Rani to the Show Cause Notice and her case was not covered by the G.O.Ms.No.1422, Revenue (Endts. I)Department, dated:25.07.2005, Government have allowed the R.P. duly setting aside the proceedings of the Executive Officer, vide Memo.No.35808/Endts.I.2/07-3, dated:31.07.2008.

2. Subsequently, Sri V.V. Rathaiah, Junior Assistant O/o the Assistant Commissioner Cum Executive Officer, Sri Malleswara Swamy Temple, Peddakakani, Guntur District has submitted a representation to the Government on 12.09.2007 and 10.05.2008 stating that Smt. K. Nirmala Rani, Junior Assistant of the same temple has been appointed irregularly as Junior Assistant against the proceedings and existing rules. He has, therefore, requested the government to do justice to his seniority by enquiring into the regularization of Smt. K. Nirmala Rani in the category of Junior Assistant. Smt. K. Nirmala Rani, Junior Assistant has also submitted a representation on 15.04.2008 with a request to resume her seniority as Junior Assistant.
3. Government have obtained the reports of the Executive Officer of the subject temple and Commissioner of Endowments Department, AP, Hyderabad in the letters second and fourth read above respectively in the matter. After perusal of the reports and records, Government felt that Sri V.V. Rathaiah has been appointed in the subject temple as Typist-Cum-Assistant on daily wages and his services were regularized as Junior Assistant in a vacancy of the sanctioned cadre strength of the temple and continuing w.e.f. 05.04.2006. Whereas, Smt. K. Nirmala Rani has been appointed in the subject temple as Care Taker on daily wages, but her services were regularized as Junior Assistant though there is no post in the cadre strength of the temple and continuing w.e.f. 09.09.2007 without a sanctioned post in the cadre strength of the temple.

4. There is an order issued by the CED for regularizing the temporary services of the employees working in the Endowment Department after completion of (5) years of temporary service in a particular Cadre. With reference to the said order of the CED Sri V.V. Rathaiah who was working as Typist-cum-Clerk in the subject temple has applied first for regularizing his services. Later Smt. K. Nirmala Rani who was working as a Care Taker on daily wages has also applied for regularizing her services. It is observed that, though Sri. V.V. Rathaiah has submitted his application first, the services Smt. K. Nirmala Rani, a daily wage Care Taker who has put in only 4 years 11 months service have been regularized as Junior Assistant which is a higher cadre and without considering the first application of Sri. V.V. Rathaiah who was a Typist-Cum-Clerk.

5. There are three lapses/irregularities observed by the Government. The first one is that, regularizing the services of Smt. K. Nirmala Rani without fulfilling the minimum requirement of completion of (5) years of temporary service. The second one is that, though she has worked as a Care Taker, her services were regularized in a higher post of Junior Asst instead of regularizing her services in the cadre of Care Taker. The third one is that, without considering the first application of Sri. V.V. Rathaiah, the second application of Smt. K. Nirmala Rani was considered. The Assistant Commissioner of this subject Temple in his letter R.C. No. A2/383/2007 dt; 4-4-2008 has clearly informed that, she is an additional Junior Assistant of the Temple with out a post i.e, six Junior Assts are working against the (5) Junior Asst posts sanctioned to this Temple. In view all above, Government felt that, regularizing the service of Smt. K. Nirmala Rani services in the higher post i.e. Jr. Asst. in which she never attended duties and also with fulfilling the minimum requirement of (5) years of temporary service is irregular and posting her as Junior Assistant without a sanctioned cadre strength post is most irregular. Hence, Government felt it is appropriate to take necessary action for reverting her services from the cadre of a Junior Assistant immediately to her original cadre of Care Taker from the date on which she becomes eligible for such regularization of services as Care Taker.

6. Government after careful consideration, hereby direct the Commissioner of Endowments Department, AP, Hyderabad to take necessary action for reverting her services from the cadre of Junior Assistant immediately to the cadre of Care Taker of the subject Temple from the date on which she becomes eligible for such regularization of services as Care Taker after giving a show case notice to her and obtaining her explanation to the show case notice and duly following the prescribed procedure in the matter.

7. The Commissioner of Endowments Department, AP, Hyderabad shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Endowments Department , AP, Hyd.  
The Assistant Commissioner-Cum-Executive Officer,  
Sri Malleswara Swamy Temple, Pedakakani Village & Mandal  
Guntur District through CED  
s/f

// FORWARDED :: BY ORDER //

SECTION OFFICER